

ARGUMENTS/REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

The title and the specification have been amended to overcome the Examiner's objections.

Claims 1-17 remain in this application.

The Examiner objected to claims 1, 2, 7, 8 and 17 for various problems. The claims have been amended, making the objections moot.

Claims 9-11 and 13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. These claims have been amended, making the rejections moot.

Claims 1-2, 5-7, 12 and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by Navco ("Model 1700 System Controller Operating Instructions"). Claims 3-4, 8, 10-11, 13-14, and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Navco. For the following reasons, the rejection is respectfully traversed.

Claim 1 recites a "skip reproduction feature for alternating skipping of n frames and continuous reproduction of m frames" wherein "m is a positive integer related to a frame switching pattern." Claim 15 recites these limitations at lines 4-8. Claim 16 recites similar limitations at lines 6-8. The reference does not teach these elements of the cited claims.

The Examiner points to the MON chapter, page 1, and the SRT chapter, page 1, of the reference, stating that "n" is "the number of cameras minus 1" and "m" is "the number of images recorded from the selected camera", and that, in combination with the "recording rate" and "dwell" settings on the camera, the reference anticipates the claim language. But even if one can define an "n" and an "m" in the manner proposed by the Examiner, that would not be consistent with the manner that "m" and "n" are used in the claim language.

For example, there is no teaching in the reference to provide an alternating skipping of "n" frames as "n" is defined by the Examiner. The Examiner has defined "n" as the number of cameras minus 1. But there is no teaching in the reference that frames are skipped by this number

“n”. The cited sections do not discuss frame skipping at all. Thus, the reference fails to teach skipping “n” frames, as recited in the claim.

Furthermore, the claims recite that “m” is “related to a frame switching pattern”. In contrast, the reference merely teaches that a plurality of cameras can be switched in a sequential fashion, with a “dwell” setting of up to “15 seconds”, wherein the dwell apparently is the length of time a particular camera is displayed on a monitor. Thus, the result is that a continuous sequence of frames from one camera is based on the dwell time only, and thus is not related to a “frame switching pattern” as recited in the claim.

Finally, claim 1 recites that the apparatus is for recording and reproducing “a multiple picture signal obtained by multiplexing picture signals from a plurality of cameras via a frame switcher”. Claims 15 and 16 recite similar limitations at lines 1-3. In contrast, the Examiner is pointing to a process that does not use multiplexed signals, but instead appears to sequentially switch between various parallel signals (i.e., a “sequential camera switcher”). The term “multiplex” is defined as “being or relating to a system of transmitting several messages or signals *simultaneously* on the *same circuit or channel*” (see <<http://www.m-w.com/cgi-bin/dictionary?book=Dictionary&va=multiplex&x=19&y=17>>, emphasis added). Thus, the reference does not teach the apparatus of claim 1 for this reason as well.

Accordingly, for any of these reasons, claims 1, 15 and 16 are patentable over the reference. Claims 2-14, which depend, directly or indirectly, on claim 1, are patentable over the reference for at least the same reasons as claim 1.

Furthermore, in response to claim 3, the Examiner takes Official Notice that “when the number of frames is decreased from a situation where $n > 4$ to a smaller number, such as $n - 2$, the number of frames would then satisfy the equation”. However, even if true, there is no suggestion in the reference to reduce the number of frames as recited in the claim. Thus, the claim is patentable over the reference for this reason as well.

In response to claim 4, the Examiner states that the reference does not specifically disclose m frames being continuously reproduced at the end of a reconstructed image, but the Examiner takes Official Notice that a device for displaying selected images form a continuous stream of images would obviously repeat the selected image in order to prevent a blank screen display. Even if avoiding a blank screen is known, there is no suggestion in either the reference or in the art of continuously reproducing “m” frames at the end of an image, where “m” is “is a positive

integer related to a frame switching pattern". Thus, even if true, the Official Notice would not teach the cited element, and thus claim 4 is patentable over the reference for this reason as well.

Claim 8 recites that "wherein said skip reproduction feature is implemented by a forward skipping of a series of $(n+m)$ frames, reverse skipping of m frames, and a reproduction of m frames". In response, the Examiner takes Official Notice that "a command for reverse playback is well known to cause reverse playback". Even if true, this statement is not relevant to the claim. The claim does not recite "reverse playback". Instead, the claim recites forward skipping by " $(n+m)$ " frames, reverse skipping of " m " frames, and then reproduction of " m " frames. This is not a "reverse playback" function. Instead, it is a scheme to manage a skipping function. Furthermore, there is no suggestion in either the reference, or in the art, to forward and reverse skip in the manner described by " $(n+m)$ " and " m ", respectively. Thus, claim 8 is patentable over the reference for this reason as well.

Similarly, claim 11 recites that "reverse skipping of a maximum of m frames is performed within the number of skipped frames in the immediately preceding processing, when a final frame of an image is reached during said skipping". Again, the Examiner takes Official Notice of "reverse playback", but as discussed above, the claim is not to "reverse playback" but to "reverse skipping" a maximum number of frames " m " within the number of skipped frames. This is not a "reverse playback" function, and thus claim 11 is patentable over the reference for this reason as well. Furthermore, because claim 11 depends on claim 8, it is also patentable for the same reasons discussed for claim 8.

Claim 10 recites that "said reproduction is performed up to a final frame of a reconstructed image when the difference between a frame of the reconstructed image just before start of said skipping and the final frame of the reconstructed image is smaller than m frames". The Examiner takes Official Notice that "a device for displaying selected images from a continuous stream of images would obviously repeat the selected image in order to prevent a blank screen display". Even if true, such a feature is not what is being claimed. There is no suggestion in either the reference or the art for determining when "the difference between a frame of the reconstructed image just before start of said skipping and the final frame of the reconstructed image" is "smaller than m frames". Thus, the claim is patentable over the reference for this reason as well.

Claim 13 depends on claim 8, and thus is patentable for the same reasons discussed for

that claim. Furthermore, claim 8 recites that “adjustment is made to set a remaining number of frames to a multiple of $(n+m)$ at start of said skip reproduction feature and when the number of frames n to be skipped is changed during skip reproduction”. The Examiner states that, in the case where the multiple of “ m ” is one, Navco teaches this element of the claim. However, there is no suggestion in the reference to set a remaining number of frames to $(n+m)$ at start of said skip reproduction feature, thus even if the multiple is set to 1, the reference does not teach this element of the claim.

Claim 14 recites that “reproduction is suspended after continuous reproduction of said predetermined m frames when suspension of reproduction is instructed during execution of said skip reproduction feature”. The Examiner responds by taking Official Notice that “a ‘stop’ command is well known to suspend reproduction operation in a playback apparatus”. Even if true, this does not reflect the claim language. The claim specifically states that, in response to a suspension of reproduction command, reproduction is suspended after “continuous reproduction of said predetermined m frames”. There is no suggestion in the reference or in the art of suspending in this particular manner. Accordingly, claim 14 is patentable over the reference.

Claims 16 is patentable over the reference for the same reasons as claim 1, as discussed above. Claim 17 contains similar limitations as claim 8, and thus is patentable over the reference for similar reasons.

Finally, the Examiner has not provided the proper motivation for modifying the reference. The burden is on the Examiner to make a prima facie case of obviousness (MPEP §2142). To support a prima facie case of obviousness, the Examiner must show that there is some *suggestion* or *motivation* to modify the reference (MPEP §2143.01).

The Examiner has cited no support for any such suggestion or motivation for the modifications from within the reference, and neither does the Examiner provide any references or other prior art supporting any motivation to make the suggested modifications.

Merely listing an advantage or benefit of the combination is not sufficient, as some rationale for combining the references must be found in the references themselves, or drawn from a convincing line of reasoning based on established scientific principles practiced by one skilled in the art that some advantage or beneficial result would be produced by the combination (MPEP §2144). Such motivation cannot be found in the application itself, as such hindsight is impermissible; the facts must be gleaned from the prior art. (MPEP §2142, last paragraph).

“To reach a proper determination under 35 U.S.C. 103, the examiner must step backward in time and into the shoes worn by the hypothetical ‘person of ordinary skill in the art’ when the invention was unknown and just before it was made [and] the examiner must then make a determination whether the claimed invention ‘*as a whole*’ would have been obvious at that time to that person.” (MPEP §2142, emphasis added). It is not proper to merely combine various elements from various references. The invention must be obvious “as a whole”, not as a piecemeal combination of elements from various references.

Accordingly, the rejection for obviousness is not supported by the Office action and thus the rejection is improper, and should be withdrawn.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33828.

Respectfully submitted,

PEARNE & GORDON, LLP

By: 

Robert F. Bodi, Reg. No. 48,540

1801 East 9th Street, Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

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